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Attorneys for USACM Liquidating Trust

UNITED STATES BANKRUPTCY COURT

DISTRICT OF NEVADA

In re:

USA COMMERCIAL MORTGAGE COMPANY,

USA CAPITAL REALTY ADVISORS, LLC,

USA CAPITAL DIVERSIFIED TRUST DEED
FUND, LLC,

USA CAPITAL FIRST TRUST DEED FUND, LLC,

USA SECURITIES, LLC,

Debtors.

Affects:

☐ All Debtors

☒ USA Commercial Mortgage Company

☐ USA Capital Realty Advisors, LLC

☒ USA Capital Diversified Trust Deed Fund, LLC

☐ USA Capital First Trust Deed Fund, LLC

☐ USA Securities, LLC

Case No. BK-S-06-10725-LBR

Case No. BK-S-06-10726-LBR

Case No. BK-S-06-10727-LBR

Case No. BK-S-06-10728-LBR

Case No. BK-S-06-10729-LBR

CHAPTER 11

Jointly Administered Under
Case No. BK-S-06-10725 LBR

**NOTICE OF ENTRY OF ORDER AND
CERTIFICATE OF SERVICE OF ORDER
SUSTAINING OBJECTION OF USACM
TRUST TO WILLIAM DALEY CLAIM
FILED IN WRONG DEBTOR'S CASE;
AND SUSTAINING OBJECTION OF
DTDF TO PROPOSED ALLOWANCE OF
CLAIM**

Hearing Date: October 15, 2007

Hearing Time: 9:30 a.m.

PLEASE TAKE NOTICE that on the 22nd day of October, 2007, the Court entered its Order Sustaining Objection of USACM Trust to William Daley Claim Filed in Wrong Debtor's Case; and Sustaining Objection of DTDF to Proposed Allowance of Claim, a
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1 copy of which is attached hereto.

2 DATED this 23rd day of October 2007.

3 **LEWIS AND ROCA LLP**

4 By /s/ Anne M. Loraditch (008164)

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6 Rob Charles

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9 Las Vegas, Nevada 89101

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12 *Attorneys for USACM Liquidating Trust*

13 **CERTIFICATE OF SERVICE**

14 I certify that a copy of the foregoing was served via first class mail, postage
15 prepaid, addressed as set forth below, on this 23rd day of October, 2007 to:

16 William Daley

17 162 Obed Point

18 Corssville, TN 38571

19 By /s/ Patricia M. Kois

20 Patricia M. Kois, Lewis and Roca LLP



Entered on Docket
October 23, 2007

Hon. Linda B. Riegler
United States Bankruptcy Judge

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**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA**

In re:

USA COMMERCIAL MORTGAGE COMPANY,
USA CAPITAL REALTY ADVISORS, LLC,
USA CAPITAL DIVERSIFIED TRUST DEED
FUND, LLC,
USA CAPITAL FIRST TRUST DEED FUND, LLC,
USA SECURITIES, LLC,
Debtors.

Affects:

- ☐ All Debtors
☒ USA Commercial Mortgage Company
☐ USA Capital Realty Advisors, LLC
☒ USA Capital Diversified Trust Deed Fund, LLC
☐ USA Capital First Trust Deed Fund, LLC
☐ USA Securities, LLC

Case No. BK-S-06-10725-LBR
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Case No. BK-S-06-10728-LBR
Case No. BK-S-06-10729-LBR

CHAPTER 11

Jointly Administered Under
Case No. BK-S-06-10725 LBR

**ORDER SUSTAINING OBJECTION OF
USACM TRUST TO WILLIAM DALEY
CLAIM FILED IN WRONG DEBTOR'S
CASE; AND SUSTAINING OBJECTION
OF DTDF TO PROPOSED ALLOWANCE
OF CLAIM**

Hearing Date: October 15, 2007
Hearing Time: 9:30 a.m.



The Court having considered the “Objection of USACM Trust to William Daley Claim Filed in Wrong Debtor’s Case; Objection of DTDF to Proposed Allowance of Claim” [Docket No. 4675] (the “Objection”); with appearances as set forth in the record at the hearing noted above; appropriate notice of the Objection having been given; no response to the Objection having been filed; and good cause appearing:

IT IS HEREBY ORDERED that:

1. The Objection is sustained;
2. Proof of Claim No. 10725-00448 is disallowed in its entirety as against USA Commercial Mortgage and USA Capital Diversified Trust Deed Fund, LLC (“DTDF”); and
3. William Daley’s equity interest in DTDF is allowed in the amount of \$134,179.22, as reflected in DTDF’s books and records as of April 13, 2006.

PREPARED AND RESPECTFULLY SUBMITTED BY:

LEWIS AND ROCA LLP

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